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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/771,292 | 01/25/2001 | Rosanne Park Toohey | 50277-1521 | 9181 |

29989 7590 12/03/2003

HICKMAN PALERMO TRUONG & BECKER, LLP
1600 WILLOW STREET
SAN JOSE, CA 95125

EXAMINER

TO, BAOQUOC N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2172

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,292

Applicant(s)

TOOHEY ET AL.

Examiner

Baoquoc N To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

1. Claims 1-24 are pending in this application.

Response to Arguments

2. Applicant's arguments filed 09/22/03 have been fully considered but they are not persuasive.

The applicant argues that, "Pereira clearly discloses blocks are read and analyzed, and thus, at best, teaches that rows in the blocks are read and analyzed. Pereira does not, however, suggest in any way that the rows read and analyzed are manipulated in anyway."

The examiner respectfully disagrees with the above argument because the word manipulated is a broad term, which could also mean delete, change or add. According to Pereira, "if a user adds 250 rows to the table, using the above parameters, an additional 3 blocks would need to be allocated" (col. 3, lines 22-24). OR "a user may delete fifty rows from block 1, 40 rows from block 20, and 30 rows from block 60" (col. 3, lines 26-27). This is the manipulated operation on rows as claimed.

The applicant also argues that, "event though Pereira teaches about spanning rows, it fails to suggest in any way constructing work granules that perform manipulation operations. Therefore, Pereira can not possibly suggest work granules that perform manipulation operations on logical storage units that include spanning rows, as claimed."

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The examiner respectfully disagrees with the above argument because as taught by Pereira the operations as adding, deleting, moving are the work granules or task to perform work on the row (col. 5, lines 20-48). Therefore, work granules are the deleting, adding or moving tasks that manipulate on rows.

The applicant also argues that, "while such steps involve the manipulation of information about chained rows, they do not involve or suggest the manipulation of the chained rows themselves, as required by claim 1 and 13."

The examiner disagrees with the above argument because the table 1 illustrated the manipulation of spanning rows as creating, allocating, and storing rows of data (col. 6, lines 1-6).

The applicant also argues that, "Inserting a row piece based on criteria that accounts for such a factor is not suggested much less disclosed by the cited art."

The examiner respectfully disagrees with the above argument because as taught by Pereira, the inserting a new row under the condition of the percentage used in the block is below PCTUSED (col. 4, lines 30-32). Clearly the condition is the inserted criteria for the inserting the new row.

The applicant also argues that, "the portion of Pereira cited by the Office Action as disclosing the step of determining whether one more criteria is

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satisfied. However, none of the criteria used to govern row insertion taught by Pereira suggests the criteria cited by claims 8 and 20."

The examiner respectfully disagrees with the above argument because the condition for inserting the row is the percentage used in the block is below PCTUSED (col. 4, lines 30-32). The implementation of threshold is taught by setting the condition of block below the PCTUSED, therefore, in order to insert the row into the block the condition must meet or satisfy.

The applicant also argues that, "nothing about such criteria suggests much less discloses criteria that specifically accounts for a threshold number of interest transaction."

The examiner disagrees with the above argument because the concept of inserting the row into the data block based on the condition of the block is below PCTUSED (col. 4, lines 30-32). The condition of inserting the row is threshold number of interest transaction, would be obvious because the concept are the same.

All depended claims are rejected under the same reason at all independent claims.

3. Please see previous rejection for all claims 1-24.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached at (703) 305-4393.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

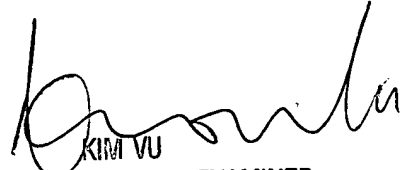
- (703) 746-7238 [After Final Communication}}
- (703) 746-7239 [Official Communication]
- (703) 746-7240 [Non-Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To

Nov 28, 2003


KIM VU
SUBSTANTIVE PATENT EXAMINER
TECHNOLOGY CENTER 2100